

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

DONNELL SHAMOND KEARNEY,	)	
	)	
Plaintiff,	)	
	)	
-vs-	)	Case No. CIV-20-0973-F
	)	
ROY COOPER, et al.,	)	
	)	
Defendants.	)	

**ORDER**

This action was initiated by plaintiff, a federal inmate appearing pro se, pursuant to “diversity of citizenship.” It is brought against “Department of Justice members.”


On November 25, 2020, the magistrate judge entered a Report and Recommendation. Doc. no. 9 (the Report). The Report recommends that unless plaintiff pays the filing fee within twenty-one days of any order adopting the Report, the court should deny plaintiff’s deficient in forma pauperis motions and dismiss this action without prejudice based on plaintiff’s failure to comply with the magistrate judge’s orders to cure or to pay the filing fee. The Report advises plaintiff of the right to file an objection to the Report and that any objection was due on or before December 16, 2020. The Report further advises that failure to make a timely objection to the Report waives the right to appellate review of both the factual and legal questions contained in the Report. No objection was filed,<sup>1</sup> and the filing fee remains unpaid.

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<sup>1</sup> On December 23, 2020, the court received a letter from plaintiff which was postmarked December 18, 2020. Doc. no. 10. (The letter and envelope say nothing about use of the prison mailbox system.) The letter mentions several concepts and is largely incomprehensible. Accordingly, even if the court were to consider the letter as a timely objection (which the court does not do), the result stated in this order would not change because the objection would be denied.

After careful consideration, the Report is **ACCEPTED, ADOPTED** and **AFFIRMED**. Unless the full filing fee is paid within twenty-one days of the date of this order, the deficient in forma pauperis motions will be denied and this action will be dismissed without prejudice.

IT IS SO ORDERED this 13<sup>th</sup> day of January, 2021.

  
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STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE

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